



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D C 20231  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/060,945	01/30/2002	John C. Carrick	2376.2004-000

CONFIRMATION NO. 7237

021005

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

530 VIRGINIA ROAD

P.O. BOX 9133

CONCORD, MA 01742-9133

## FORMALITIES LETTER

DOCKETED

26 APR 2002

SDD/3SP  
FEB

\*OC000000007539038\*

Date Mailed: 02/26/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$618.
  - \$450 for 25 total claims over 20.
  - \$168 for 2 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1488.**

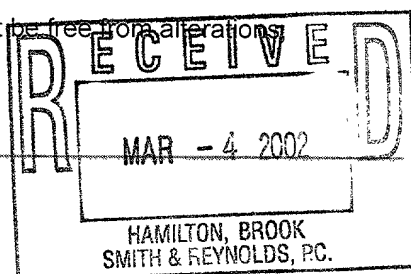
The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - Drawings must be reasonably free from erasures and must be free from alterations, overwritings, interlineations, folds, and copy marks.

04/18/2002 NMOHAM1 00000058 10060945

01 FC:101	740.00 OP
02 FC:103	450.00 OP
03 FC:102	168.00 OP
04 FC:105	130.00 OP



10060945-041602

*A copy of this notice MUST be returned with the reply.*

*Spencer*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

10060945-041602

AS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: John C. Carrick and Ronald Haberkorn  
Application No.: 10/060,945 Group: 2633  
Filed: January 30, 2002 Examiner: Not yet assigned  
For: Swept Frequency Reflectometry Using an Optical Signal With Sinusoidal Modulation



<b>CERTIFICATE OF MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 2327, Arlington, VA, 22202	
on <u>4/10/02</u>	<u>J. Simen</u>
Date	Signature
_____ Judith Simen Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts  
Assistant Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Sir:

In reply to the Notice to File Missing Parts dated February 26, 2002, the following documents and fees are being submitted for filing in the captioned application. A copy of the Notice is attached.

☒ **EXECUTED DECLARATION FOR PATENT APPLICATION**

*(Separate transmittal letter and postcard not required)*

☐ **POWER OF ATTORNEY DOCUMENT**

☐ **GRANTED BY INVENTOR(S)**

☐ **GRANTED BY ASSIGNEE, including Statement under 37 C.F.R. 3.73(b)**

*(Separate transmittal letter and postcard not required)*

☐ **PRELIMINARY AMENDMENT**

*(Separate transmittal letter and postcard not required)*

☒ **FILING FEE** - with Fee Transmittal for Patent Applications in duplicate

Fee calculations based on:

☒ Claims as originally filed

☐ Claims upon entry of the Preliminary Amendment filed [herewith] [with the application]

*(Separate transmittal letter and postcard not required)*

☒ **SURCHARGE** - surcharge fee of \$130.00

*(Separate transmittal letter and postcard not required)*

☐ **SEQUENCE LISTING** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☒ **SUBSTITUTE DRAWINGS**

[19] Sheets of substitute drawings consisting of Figs. 1-3, 4A, 4B, 4C, 4D, 4E and 5-15 are enclosed

*(Separate transmittal letter and postcard not required)*

☐ **PETITION FOR EXTENSION OF TIME**

☐ Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [ ] for [ ] month(s) from [ ] to [ ]  
The appropriate fee of \$[ ] is included in the enclosed check

☐ A [ ] month extension of time to respond to the Notice to File Missing Parts dated [ ] was filed on [ ] with payment of a \$[ ] fee

☐ Applicant hereby petitions for an additional [ ] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[ ] is included in the enclosed check

*(Separate Petition for Extension of Time and postcard not required)*

☐ **REQUEST FOR CORRECTED FILING RECEIPT** - Filed concurrently and is attached

*(Separate transmittal letter and postcard required)*

☐ **STATEMENT CLAIMING SMALL ENTITY STATUS**

☐ Was filed on [ ]

☐ Is enclosed herewith

*(Separate transmittal letter and postcard not required)*

☐ In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[ ] which were paid on [ ] to be deposited in Deposit Account No. 08-0380

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$1,488.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Mark B. Solomon  
Mark B. Solomon  
Registration No.: 44,348  
Tel.: (978) 341-0036  
Fax: (978) 341-0136

Concord, Massachusetts 01742-9133

Date: 4/10/02



# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

## FEE TRANSMITTAL FOR PATENT APPLICATIONS

Attorney Docket Number	2376.2004-000
Application Number	10/060,945
First Named Inventor	John C. Carrick

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	45 - 20* =	25	x \$ 18 =	\$ 450
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	5 - 3** =	2	x \$ 84 =	\$ 168
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 280 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 740
	Total of above Calculations =				\$ 1358
	Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =				\$
	TOTAL =				\$ 1358
	Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =				\$ 130
	Petition for Extension of Time Fee (37 C.F.R. 1.17) =				\$
	Assignment Recordation Fee = (only when filed with application)				\$
	TOTAL =				\$ 1488

\* Reissue claims in excess of 20 and over original patent  
\*\* Reissue independent claims over original patent

### 1. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

2. ☒ A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.

3. ☒ A check is enclosed for \$1,488.00. ☐ Please charge \$[ ] to Deposit Account No. 08-0380.

4. ☐ Other: \_\_\_\_\_

Signature

*Mark B. Solomon*

Date

4/10/2

Submitted by  
Typed or Printed Name

Mark B. Solomon

Reg. Number

44,348